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Michael C. Barrett
Michael C. Barrett

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 19 2002

Technology Center 2600

In re Application of:
David J. Kinsella

Group Art Unit: 2623

Serial No.: 09/584,162

Examiner: Bali, V.

Filed: May 30, 2000

Atty. Dkt. No.: KINS:002USC2/MCB

For: POINTING DEVICE WITH BIOMETRIC
SENSOR

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed January 2, 2002, finally rejecting claims 1, 2, 7-24, 49-58, 60, 61, and 67-81 and objecting to claim 59.

The fee for filing this Notice of Appeal is \$160 and is attached hereto.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is

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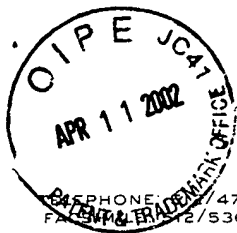
Respectfully submitted,

Michael C. Barrett

Michael C. Barrett
Reg. No. 44,523
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 536-3018

Date: April 2, 2002



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Commissioner for Patents
Washington, DC 20231

RE: SN 09/584,162 "POINTING DEVICE WITH BIOMETRIC SENSOR" –
David J. Kinsella

Commissioner:

Enclosed for filing in the above-referenced patent application is:

- (1) Notice of Appeal;
- (2) Our check in the amount of \$160.00 for Notice of Appeal; and
- (3) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/10026193/MCB.

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Respectfully submitted,

Michael C. Barrett
Michael C. Barrett
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Encl.: As noted